

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

WILLIAM PAUL ECONOMOU,

Plaintiff,

vs.

Civ. No. 03-0405 MV/RLP

WELLS FARGO, OPERATING
ENGINEERS FEDERAL CREDIT UNION,
STANFORD FEDERAL CREDIT UNION,
CAL STATE 9 FEDERAL CREDIT UNION,
ANB-BP, VERISON WIRELESS and OSI
COLLECTION SERVICES,

Defendants.

MEMORANDUM OPINION AND ORDER

THIS MATTER comes before the Court on Plaintiff's Request to Vacate Settlement Agreement with Wells Fargo and Reinstate Complaint, filed March 15, 2004, [**Doc. No. 36**]. Plaintiff, who is proceeding *pro se*, filed a complaint against numerous defendants alleging fraud, breach of contract, defamation of character and violation of the Fair Credit Reporting Act, 15 U.S.C. § 1681, *et seq.* Plaintiff and Defendant Wells Fargo subsequently entered into a settlement agreement, and, pursuant to a stipulation between these parties, Wells Fargo was dismissed with prejudice on September 8, 2003. *See* September 8, 2003 Order [**Doc. No. 11**]. Plaintiff later filed the instant motion, which states, in its entirety, that "Plaintiff requests [sic] Vacate Settlement Agreement with Wells Fargo and reinstate complaint. Wells Fargo has refused to comply with the terms of the out of court settlement."

Plaintiff has failed to allege any facts supporting his assertion that Wells Fargo has failed

to comply with the settlement agreement. Furthermore, even if Plaintiff had alleged facts supporting his claim that Wells Fargo has failed to comply with the settlement agreement, Plaintiff's remedy would be to enforce the settlement agreement, not to reinstate his complaint against Wells Fargo.

IT IS THEREFORE ORDERED that Plaintiff's Request to Vacate Settlement Agreement with Wells Fargo and Reinstate Complaint, filed March 15, 2004, [**Doc. No. 36**] is hereby **DENIED**.

Dated this 23rd day of August, 2004.



MARTHA VALQUEZ
U. S. DISTRICT COURT JUDGE

Plaintiff Pro Se

Attorney for Defendant Wells Fargo:
Gordon S. Little, Esq.